

1884-010 Chancery Causes: A. L. Ellett & Co] vs. J. C. & J. W. Scott]
Lee Co.

Ellett, Watkins, Drewry, Hughes, Scott, Drury

CH-Debt
T-Property

To the Honorable John A. Kelly
Judge of the Circuit Court of Lee
County Virginia.

Your orators A. L. Ellett, A. J.
Watkins, Clay Drury and Stephen B.
Hughes merchants trading under the firm
name & style of A. L. Ellett & Co, Humbly
Complaining sheweth unto your Honor
that, heretofore at the March Term of
this Hon. Court 1882, there was rendered
in favor of your orators a judgement
against J. C. & J. W. Scott merchants and
partners trading under the firm name
and style of J. C. & J. W. Scott for the
sum of \$504.73 with legal interest on
\$175; part thereof from June 1st 1882, an an \$176.
36^{cs}. From June 21st 1882, an etc like interest
on \$152.92 the residue thereof from 26th
day of September 1882. Subject to a
Credit of \$100, paid May 23/1882. - The
residue is wholly unpaid and now due
& copy of this judgement will be sent to you with this marked A.
your orators - At the same time they
obtained judgement for their costs at
law \$8.94. This judgement has been
properly docketed and indexed so that the
same as your orators are advised Consti-
tutes a lien upon any real estate
owned by said judgement debtors in

Lee County - Your Orators allege that John W. Scott does own a small farm near a post office, Dryden, in this County, near Powell's River, and adjoining the lands of Silas Hauer and others, whereon he the said J. W. Scott now resides - The rents and profits of which will not in five years pay your Orators debt interest and costs.

The object of this bill therefore is to enforce there said lien upon the lands thus owned by said J. W. Scott and have the same or so much thereof as may be necessary sold to pay the same. The said J. C. Scott not being the owner of any lands known to your Orators.

The premises considered your Orators pray that J. C. Scott, and J. W. Scott be made proper defendants to this bill and answer its allegations on oath, and upon a hearing a decree be rendered, enforcing your Orators claims against said land; and that the same or so much thereof as may be deemed necessary be sold to pay and satisfy the same - And for all other further and general reliefs

May supra issuet.

A. L. Ordinaire P. 2.

C 3.85
 Lat 1.50
 S 1.00
 A 15.00

 \$21.35

^{LD}
 A. L. Ellett & Co

v Bill Chf

J. C. & J. W. Scott

Exhibit A. Filed

1883 June 25th Bill Filed

" July Spa Ex'd & D. N.

" Aug. D. N. Conf'd & caused
set for hearing by Refs

" Aug. Decree & Cont'd.

" Nov. order Cont'd

1884 Mr. Decree final by
an agreement

A. L. Elliott vs Plff.
 Against
 L. C. & J. W. Scott, def^t } In ch^y

This cause came on this day upon the bill taken for confessed and was argued by Counsel. On consideration whereof and for reasons appearing to the Court it is adjudged ordered and decreed that the plff^r recover from the defendant the sum of \$504.73 and legal interest on \$178.87 part thereof from June 1st 1882 and on \$176.36 on other part thereof from June 21st 1882 and on \$152.92 the residue from 26th day of September 1882 and \$8.94 costs at law ^{and costs of this Suit} subject to a credit of \$100. paid May 23rd 1882; and that unless the defendant or some one for them will pay the same in 30 days from the rising of the Court then that Russ D. Havery Sheriff of this County, ^{at the Court clock of the Court room} proceed to rent the lands of J. W. Scott, in the bill mentioned for the shortest period that the same will pay the debt interest and costs - not to exceed five years - He ^{shall} will take bonds payable to himself, for ^{the value} ~~each installment~~ of ~~the rent~~ with approved personal security, making the same full due

Cash & commission of sale

on the first day of January of each
 year, and will deliver to the tenant
 the possession of the premises on the first
 day of January 1884, ^{at which time the rentings shall commence} Before proceeding
 to rent under this decree he will post
 notice for at least 20 days upon the
 front door of the Court house and on
 the premises setting out time terms and
 place of ~~renting~~ ^{renting}. He will report
 his action to this Court at some future term
 and the cause is continued.

A. L. Elliott

1883 } Decree.

J. C. & J. W. Scott

Aug. 7. 1883

Entered page 352

Enter this

Sept 6th 1883
 J. C. & J. W.

A. L. Elliott
A. J. Wattain
Clay Duwy
Stephen B. Hughes

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF LEE COUNTY GREETING:

We Command You that of the Goods and Chattles of *J. B. & J. W. Scott*
on \$178.57, part thereof from June 1st 1882, on \$176.36 from June 21st 1882 and on \$152.92 the balance
Late in your Baliwick you cause to be made \$504.73 with legal interest thereon from the 26 day of
September 1882 till payment which *A. L. Elliott & Co*

Lately in our Circuit Court of Lee County have recovered against *Debt*
also \$8.94 which to the said *A. L. Elliott & Co*
in our Court were adjudged for *their* costs in that behalf expended whereof the said
J. B. & J. W. Scott are
Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at the
Courthouse on the first monday in *August* next to render to the said *A. L. Elliott & Co*
of the *Debt* and costs as aforesaid.

And have then there this writ Witness JOHN A. G. HYATT Clerk of our said court at the courthouse this *23rd*
day of *June* 1883 in the 10⁷ year of the Commonwealth.

J. A. Hyatt Clerk.

64 4.61
8 1.00
17 2.50
60 6. 25
\$8.36
Add for C. 58
\$8.94

189) Circ't (2)

A. L. Elliott & Co

vs ³ Li Ha

J. C. & J. W. Scott

Lo August Rules 1883.

Did not leave the
office, the ^{to issue} ~~five~~ not
being directed by the
Plaintiff ~~J. C. & J. W. Scott~~
led

"A"

Per May 23rd 1882 for receipt - - - \$100.00

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You to Summon

*James C. Scott and
John W. Scott merchants and partners trading
under the firm name and style of "J. C. & J. W. Scott,"*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

July.

next being rule day to answer a bill in Chancery exhibited in our said Court against *them*

by

*A. L. Ellett, A. J. Watkins, Clay
Drewry, and Stephen B. Hughes, merchants and
partners trading under the firm name and
style of "A. L. Ellett & Co."*

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

25th day of *June*

1883

, in the 10⁷

year of the Commonwealth.

J. A. G. Hyatt

Clerk

19
A. L. Ellett Esq.
residing in Chcy
J. C. & J. W. Scott

20 July Rules 1883

Executed by deliver-
ing copies of the
author to each of
the parties & Miles D.S.
June 29/83 for V.S. Ely S.D.

Standing No. 403

-IN-

LEE CIRCUIT COURT.

Plffs ATTY.	<u>Eliot A. Tice</u>	Def'ts ATTY.
Plffs costs.	<u>Bill in</u> <u>vs. Chancery</u> <u>J. C. J. W. Scott</u>	Def'ts costs.
Total \$		\$

Reference Docket . . . Page 83 Line 7

1st calling Term 188

Decided March Term 1884

1703

WILLIAM
STREASURY
BALTIMORE